## JC20 Rec'd PCT/PTO 2 6 SEP 2005

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : Confirmation No. :

First Named Inventor : Stephan HASER

Filed : September 26, 2005

Docket No. : 100341.56596US

Customer No. : 23911

Title : Method for Calculating an Individual Progressive

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# INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R § \$ 1.97 AND 1.98

Mail Stop PCT Branch

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

#### I. Time Period of Submission

This Information Disclosure Statement is submitted:

1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is
later), and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R.§ 1.17(p) is required.
after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution ( <i>Ex parte Quayle</i> ), (whichever is earlier), and therefore Applicant is filing concurrently herewith:
a Statement under 37 C.F.R. § 1.97(e); or
a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).
after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

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	Applicant	submits	the	following	explanations:
	I herical distribution Discher to the prior	I hereby state the tion Disclosure Statement office in a counterprior to the filing of this of the tion Disclosure Statement of the tion of t	ition Disclosure Statement was first patent office in a counterpart foreignation to the filing of this Information.  I hereby state that no itemption Disclosure Statement was cited ffice in a counterpart foreign application a reasonable inquiry, no itemption Disclosure Statement was known 1.56(c) more than three months pare Statement.  Interpretation of Non-English Language  The following is a concise explanguage documents listed in the attemption is/are provided in the entity of that portion of the report indirection.  Copy of a corresponding state in the provided in the reign office.  English language equivers is/are submitted herewith.  English language abstraction of the report indirection of the report ind	I hereby state that each item of interestion Disclosure Statement was first cited in patent office in a counterpart foreign application to the filing of this Information Disclosure I hereby state that no item of infection Disclosure Statement was cited in a conffice in a counterpart foreign application, a reasonable inquiry, no item of infection Disclosure Statement was known to any 1.56(c) more than three months prior to the statement.  Industrial The following is a concise explanation language documents listed in the attached Figure 1. The relevance of document(s) the relevance of document invention is/are provided in the specification.  Copy of a corresponding foreign of the specific patent invention of the report indicating the reign office.  English language equivalent pris/are submitted herewith.  English translation(s) of the forestimated herewith.	I hereby state that each item of information contion Disclosure Statement was first cited in any communication office in a counterpart foreign application not more to the filing of this Information Disclosure Statement.  I hereby state that no item of information contion Disclosure Statement was cited in a communication ffice in a counterpart foreign application, and, to my keep a reasonable inquiry, no item of information contion Disclosure Statement was known to any individual of 1.56(c) more than three months prior to the filing of the Statement.  In the following is a concise explanation of relevant language documents listed in the attached Form PTO-144 and the provided in the specification of the statement invention is/are provided in the specification of the statement.  Copy of a corresponding foreign or internation at(s) together with an English-language version sh) of that portion of the report indicating the degree of reign office.  English language equivalent publication(s) is/are submitted herewith.  English translation(s) of the foreign language bmitted herewith.

## **JC20 Rec'd PCT/PTO** 2 6 SEP 2005

IV. Cont	tinuations/Divisionals/J	PCT National Stage Applications
		were previously submitted in an Information in parent application Serial No, s a benefit.
-	<del>-</del>	nces listed on the attached form PTO-1449 have International Searching Authority, therefore, hereto.
Deposit Ac		ould be considered as an authorization to charge ey Docket No.: 100341.56596US, for the fee set
September	26, 2005	Respectfully submitted,  James F. McKeown Registration No. 25,406
	L & MORING LLP al Property Group	

CROWELL & MORING LLP Intellectual Property Group P.O. Box 14300 Washington, DC 20044-4300 Telephone No.: (202) 624-2500

Facsimile No.: (202) 624-2500

JFM:sjm

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Considered

PTO/SB/08a (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
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			Complete if Known						
INFORMATION DISCLOSURE STATEMENT BY APPLICANT							<b>S</b> (0) // i=	E4495)	
			Application Number Filing Date		ibei	September 26, 2005			
			First Nam		entor	Stephan H.			
			Art Unit		<u> </u>	Stephan HASEK			
(use as many sheets as necessary)			Examiner Name						
Sheet		1 of	1	Attorney Docket Number		Number	100341.56596US		
U.S. PATENT DOCUMENTS									
Examiner	Cite	Document Number	Publicat	tion Date Name of Patentee					
Initials'	No.1	Number-Kind Code <sup>2</sup> (if know		MM-DD-YYYY		licant of Cited Document		Relevant Passages or Relevant Figures Appear	
		US- 5,861,935		1/19/99		Morris et al.			
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Examiner Initials'	Cite No.1	Country Code <sup>3</sup> –Number <sup>4</sup> –Kind Code <sup>5</sup> (if known)		Publication Date MM-DD-YYYY		Name of Patentee or Applicant of Cited Document		Where Relevant Passages or Relevant Figures Appear	T⁵
		WO01/81979		11/1/01		Haimerl			
		DE4210008		9/30/93		Kelch			
		DE19917314		10/21/99		Shirayanagi			
		EP0880046				Koma			
Examiner							Date		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the senal number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.